

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DONALD ROUSE,

Plaintiff,

No. 2:20-cv-12088

v

HON. LINDA V. PARKER

DANA NESSEL, in her official capacity as Attorney General of the State of Michigan, MICHELLE DOERR-TIBBITS, in her official and individual capacities as the Attorney General Criminal Finance Division Officer, DEAN ALAN, in his official and individual capacity as the Macomb County Assistant Prosecuting Attorney, and PETER J. MACERONI, in his official and individual capacities as the Macomb County Circuit Court Judge,

MAG. R. STEVEN WHALEN

Defendants.

Donald Rouse, *In Pro Per*
140 Lein Drive
Iva, South Carolina 29655
864.933.8840

Bryan W. Beach (P69681)
Assistant Attorney General
Attorney for Defendants Nessel & Doeer-Tibbits
PO Box 30736
Lansing, Michigan 48909
517.335.7659
beachb@michigan.gov

/

**DEFENDANTS ATTORNEY GENERAL DANA NESSEL AND
MICHELLE DOER-TIBBITS' RESPONSE TO PLAINTIFF'S
MOTION TO AMEND COMPLAINT**

Defendants Attorney General Dana Nessel and Michelle Doer-Tibbits, submits the following response to Plaintiff's Motion to Amend Complaint.

This motion is premature. The Court has not yet decided either of the motions to dismiss filed by the Defendants in this matter. Furthermore, for the reasons stated in the motion to dismiss filed by Defendants Nessel and Doer-Tibbits, amendment of Plaintiff's complaint is futile. (ECF #8.) Plaintiff's claims are barred by both. The Rooker-Feldman doctrine and the applicable statute of limitations.

For these reasons, Defendants Nessel and Doer-Tibbits respectfully request that this Honorable Court deny Plaintiff's motion to amend and also enter an order dismissing Plaintiff's complaint against them in its entirety and with prejudice pursuant to Fed. R. Civ. Proc. 12(b)(6).

Respectfully submitted,

DANA NESSEL
Attorney General

s/Bryan W. Beach

Bryan W. Beach (P69681)
Assistant Attorney General
Attorney for Defendant Nessel &
Doeer-Tibbits
P.O. Box 30736
Lansing, Michigan 48909
517.335.7659
Email: beachb@michigan.gov

Dated: October 12, 2020

CERTIFICATE OF SERVICE

I hereby certify that on October 12, 2020, I electronically filed the above document(s) with the Clerk of the Court using the ECF System, which will provide electronic copies to counsel of record as well as via US Mail to Plaintiff:

Donald Rouse, *In Pro Per*
140 Lein Drive
Iva, South Carolina 29655

s/Bryan W. Beach

Bryan W. Beach (P69681)
Assistant Attorney General
P.O. Box 30736
Lansing, Michigan 48909
517.335.7659
Email: beachb@michigan.gov